

APPEAL NO. 020261
FILED MARCH 21, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on September 28, 2001. By our decision in Texas Workers' Compensation Commission Appeal No. 012678, decided December 20, 2001, we remanded because a complete record was not available for our review. The hearing officer obtained the missing information. No further CCH was necessary or held. The hearing officer signed the decision and order on remand on January 8, 2002. The hearing officer determined that (1) the respondent (claimant) sustained a compensable injury; (2) the date of injury is _____; and (3) the claimant had disability resulting from the compensable injury from _____, through July 17, 2001. The appellant (carrier) appeals the injury and disability determinations, asserting that the claimant had deviated from the course and scope of his employment at the time of the injury. No response was filed by the claimant. The date of injury issue was not appealed and is, therefore, final. Section 410.169.

DECISION

Affirmed.

The complained-of determinations involved questions of fact for the hearing officer to resolve. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the carrier is **LUMBERMENS UNDERWRITING ALLIANCE** and the name and address of its registered agent for service of process is

**DANIEL J. O'BRIEN
12200 FORD ROAD, SUITE 344
DALLAS, TEXAS 75234.**

Edward Vilano
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Michael B. McShane
Appeals Judge